IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 16TH JANUARY 2007 / 26TH PAUSHA 1928

WP(C).No. 354 of 2007(P)

PETITIONER:

NISSY SIMON, D/O.P.M. SIMON,
NISSY BHAVAN, MANIYAR P.O.,
PUNALUR, KOLLAM DISTRICT.

BY ADV. SRI.B.MOHANLAL

RESPONDENTS:

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1. THE INDIAN NURSING COUNCIL
REPRESENTED BY ITS SECRETARY, COMBINED
COUNCIL'S BUILDING, KOTLA ROAD,
TEMPLE LANE, NEW DELHI.

2. THE REGISTRAR KARNATAKA STATE
NURSING COUNCIL, NO.71 SURAYA APARTMENT,
A STREET 6TH CROSS, A.R.EXTENSION,
GANDHI NAGAR, BANGLORE.

3. THE JOINT COMMISSIONER OF ENTRANCE
EXAMINATIONS, POOJAPPURA, THIRUVANANTHAPURAM.

4. THE SECRETARY, BOARD OF PUBLIC
EXAMINATIONS, KERALA, THIRUVANANTHAPURAM.

BY ADV. SRI.NOUSHAD THOTTATHIL,SC, R1

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C)NO.354 OF 2007

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Dated this the 16th day of January 2007

JUDGMENT

Heard counsel for petitioner and Standing Counsel appearing for respondents 1 and 2.

2. Prayer in the writ petition is for a direction to respondents 1 and 2 to incorporate correct date of birth of petitioner in the records pertaining to the registration of petitioner as a qualified nurse. Petitioner admittedly took nursing degree from the Rajiv Gandhi University in Karnataka state. However, the date of birth in the nursing college records is 4-5-1984 as against the correct date of birth which is 3-11-1983 which is clear from Ext.P2, birth certificate issued by the Punalur Municipality. Mistake in the date of birth originally happened in the SSLC book which is carried in the nursing course records of the petitioner. However, it is seen that based on date of birth shown in the birth certificate, entries in petitioner's SSLC book is corrected by the 4th respondent, Secretary, Board of Public Examinations as per the directions of the 3rd respondent. Since the mistake is corrected in the original

records, consequential changes have to be made in the degree certificate and in the registration granted to the petitioner by respondents 1 and 2.

3. In the circumstances, writ petition is allowed directing respondents 1 and 2 to change the date of birth of petitioner in the records from 4-5-1984 to 3-11-1983 based on Exts.P2, P3 and P4 and issue fresh registration certificate to the petitioner within three weeks from date of production of copy of this judgment along with true copies of Exts.P2, P3 and P4.

4. Eventhough counsel for the respondents 1 and 2 contended that some cases are pending in Karnataka High Court pertaining to the similar matter, I do not think the same will justify declining or delaying relief to the petitioner and therefore this objection is overruled.

Writ petition is disposed of as above.

C.N.RAMACHANDRAN NAIR, JUDGE

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